

The Crime of the Cities

St. Paul—By EARL CHRISTMAS

NEXT to the immensity of the task itself—and that is one of the staggering things about prohibition—enforcement of the Eighteenth Amendment has revealed that most of the violators are persons of foreign descent.

Take the experience of St. Paul, Minnesota, for instance. St. Paul is a normal, mid-western city, with its average proportion of foreign-born population.

Yet fully 80 per cent of the violators of the prohibition laws are foreigners, according to William Anderson, assistant United States district attorney at St. Paul. Paul D. Keller, supervising enforcement agent for five northern states, declares that fully three-fourths of the offenders are foreign-born, and adds that most of them are not citizens of the United States.

Consider these names, taken in the order of their appearance on a list of indictments returned by the last Federal grand jury at St. Paul:

James Falkowski, Alex Removitsky, Victor Gangl, Joseph Glombitz, Peter Kiertkowski, Gust Gustafson, Philip Hecklin, Nathan Hernan, Louis J. Jamieson, Peter Kibbauch, Frank Kurkoske, John Olig, Peter Olig, Joseph Rosenblatt, Michael Sarofolean, Katolina Sarofolean, Mathias Schlosser, Antone Singer, Arthur Tenenbaum, Fred Magilevsky, Adam Wethke, Clinton Rogouski, Louis F. Kiichli.

If that doesn't sound like calling the roll of the nations—well, the prohibition officers are ready to throw up the sponge. Prohibition in the great American melting pot is fraught with difficulties, in other words. Persons of foreign birth are being assimilated perhaps, but many of them are not assimilating prohibition so rapidly, according to the men who enforce the laws.

"Yes, foreigners are causing most of our trouble," said Mr. Anderson, looking up from his puzzling list of names. "Particularly is this true of the moonshine cases. Serbians, Rumanians and especially former subjects of the Austro-Hungarian empire keep appearing in the lists of offenders. We have a lot of trouble, too, with former saloon-keepers, when it comes to selling."

Mr. Keller put it this way:

"I suppose many of these persons of foreign birth were used to having their own liquor in the old countries, and so may be lead more easily to break the law here to get it. Some of them don't know it's a serious offense. Then there is the lure of fabulous profits for those engaged in the traffic."

"We don't get the real men back of the traffic. The men we catch are usually the little fellows operating on a small scale or the men who are working for someone else. Their employers are bankers, merchants, retired business men and speculators, who are willing to risk their money in the traffic for the tremendous return."

But if a year of the Eighteenth Amendment has revealed that the foreign-born population provides a majority of the offenders, it has revealed more eloquently still the amazing complexities and the immensity of prohibition enforcement.

In the St. Paul division of the United States district court, including the city of St. Paul and seven counties in the vicinity, approximately 300 indictments have been returned in the enforcement of prohibition since July 1, 1919, when war-time prohibition first became effective.

Fully twice that number of arrests have been made according to an estimate by Mr. Anderson. At the December term of court alone, actions were started in approximately 100 cases, while the Duluth term of court opened in January with 250 cases on the docket. Approximately ninety cases are waiting trial at St. Paul now, and large numbers have accumulated at other cities in the state where Federal court is held.

Prohibition has added 1,000 cases to the yearly job of Alfred Jaques, United States district attorney for the Minnesota district. That practically doubles the work in this office. To handle this increased burden, one assistant United States attorney has been added to the force—one man to handle 1,000 cases. There are now three assistants.

St. Paul didn't know just how to take prohibition when the national act ushered in a dry era for the city. Minnesota had been used to its drink. It wasn't wet by any decided margin. In fact, a prohibition amendment to the state constitution, submitted at the general election in 1918, polled a total of 189,614 votes to 173,665, though it failed to pass, lacking a majority of the vote cast. In Ramsey County, including St. Paul, the vote stood 13,709 for and 16,610 against.

So, St. Paul as a whole wasn't ready for prohibition, judging from its expressed vote.

Prohibition came, and after the first few weeks of uncertainty, some of the saloons began dispensing drinks that could not be classed as soft. They did it slyly at first, more openly as time went on.

Then one day T. E. Campbell, special agent of the Department of Justice, then in charge of prohibition enforcement, started out his crew of investigators. They bought drinks in nearly all the leading saloons. Indictments against some sixty saloon-keepers and bartenders followed, the first big offensive against liquor selling. One county commissioner and several citizens prominent politically were caught. All pleaded not guilty, and began to wonder how much they would get. Finally, one man, by way of trying the water, changed his plea to guilty.

Judge Wilbur F. Booth fined him \$100. Immediately, all sixty changed their pleas, and said they were guilty—for \$100 each.

Of the eighty some men indicted at the December, 1919, term of court, 68 pleaded guilty. Three later were found guilty on trial. Five cases still are pending, and the rest were thrown out.

Everything went along fine until the June, 1920, term

of court was well advanced. One hundred and ten men had been indicted. As the courts were endeavoring to straighten out the tangle of cases, a young attorney, George G. Chapin, made a discovery that has all but upset long months of work for the prohibition officers.

Chapin advanced the theory that a prohibition officer could not go into a home to obtain evidence without a search warrant. Judge Page Morris, then presiding, upheld him in this contention, and the indictment then before the court was marked *nolle prosequi*. Immediately the issue was raised on other cases, and other indictments thrown out. Many persons against whom evidence was obtained without search warrants were not indicted, but the cases were dropped.

Then in November Judge Booth ruled that the prohibition officer must have a search warrant before entering a soft drink parlor to obtain evidence of violation of the prohibition law. That resulted in additional indictments being thrown out. Altogether approximately fifty indictments were thrown out because of the absence of a search warrant.

"To get a search warrant now, we have to have proof of sale," Mr. Keller said. "The prohibition agent has to go into a place, buy a bottle of whisky, or see one bought, before he can get a search warrant. Then he can go back with the warrant and get the evidence."

"That makes it extremely difficult to get evidence against the soft drink places that sell whisky. They will sell usually only to the men they know, and in that way they are able to keep running even though we may know they are selling liquor. They never would sell to one of my men, perhaps."

"I don't know of another division where search warrants are necessary. In Chicago, they just go in and raid the places. In Iowa, we have no trouble like this at all. But here in Minnesota, the search warrant rule is putting a crimp in much of our work. I don't want to take the position of criticising the courts. Their construction of the law may be correct. But I think we ought to have freer reign."

Mr. Keller likewise pointed out that the machinery of enforcement is wholly inadequate.

"I have sixty men," he said. "They can't begin to perform the task. Sixty men—for five states. If I could keep them in one place, that would only be 12 men to a state, and perhaps two or three to a city like St. Paul. I ought to have 200 men to handle the job."

"The big trouble in prohibition enforcement is that not enough local officials are interested in enforcing the law. The national prohibition act provides for the establishment of a Federal enforcement agency to co-ordinate and supplement—not to supplant—the duly constituted police and judicial officers of the states. I have been trying to tell the peace officers that, but not many of them appreciate it."

"Why, there are 1,000 peace officers in North Dakota, and I get little or no co-operation. Lots of them would rather see the whisky runner get away than be taken. In some places, it is different. The police in St. Paul have been co-operating very effectively."

"To patrol a border of 1,000 miles, I had a dozen men last summer. No wonder thousands of dollars' worth of whisky was brought in through North Dakota. Whisky running has become an organized and established profession. Whisky is being shipped from the United States to Canada and then smuggled back into the United States. Some man will organize a fake medicine company in Canada, buy whisky in Kentucky and have it sent to Canada under a medicinal permit."

"A year ago, Harry Rabinovitch had a car of whisky shipped from Kentucky to Canada. A plan to have it stolen in St. Paul was made, but this was thwarted, a man killed in the fight, and indictments for conspiracy followed. Three weeks later, we found some of this same whisky in Minot, North Dakota. It had gone to Canada and been smuggled back. We identified it by the serial numbers."

"However, I think that conditions in this territory are better off than many other sections. The best bonded whisky is now worth \$150 a case here. In New York, the market is as low as \$65. That's one way to measure the effectiveness of prohibition."

Minnesota two years ago passed a state prohibition law modeled after the national act. It was designed to give county and city officials power to co-operate in the enforcement of prohibition, and in some respects is more stringent than the national law. But three cases, still pending, have been brought under this law in Ramsey County, however.

Officials vary in their opinions of the effectiveness of the prohibition machinery.

"It's a farce as now enforced," said one government agent. "Think of it—at one place last term, we had 50 cases, and got four convictions. The people don't want it, and apparently they won't have it. That's all there is to it."

"Then this requiring a search warrant places an almost insurmountable burden on the enforcement forces. The agents have been places where they could see stills in soft drink places, and couldn't get search warrants. The men get discouraged when they can't get results."

"Another thing—women come in here from the country districts, wringing their hands and telling how bad conditions are. But what can we do, with the few men we have, and the sentiment against the law?"

Other agents engaged in the enforcement work were inclined to believe that conditions were improving. They pointed out that enforcement of the act is a process of education, and gradually sentiment is being engendered that will make it more and more effective.

Typhus in Wake of Alien Flood

By DR. ROYAL S. COPELAND,
Commissioner of Health, New York City.

HAVING come from Europe so recently and having observed at first hand the suffering of the people there, I cannot bring myself to the conviction that an absolute embargo should be placed on immigration. To the suffering people in Europe America seems like heaven. Many a peasant had been known to walk 1,000 miles to reach a seaport where he could gain passage to the United States. Many formerly well-to-do persons, now so near to bankruptcy, their business establishments having been destroyed, their homes wiped out and facing nothing but disaster, are anxious to come here for a new start. Except as a last resort I should not desire to deny them the right of asylum. However, as long as immigration conditions at the eastern ports continue so inefficient as at present, it must be admitted that every immigrant coming from an affected port is a menace to our people.

One of two things must be done. Either an embargo must be placed on immigration from certain parts of Europe, which the President could do under section seven of the quarantine laws, or there must be an immediate improvement in the quarantine conditions. It is not enough for the quarantine officials to inspect the passengers of a steamship merely with a view to determining whether at that particular moment there is any infectious disease aboard the ship. A truly effective quarantine examination would go further than this. It would determine whether or not there are possible carriers of infectious disease aboard. This would mean, so far as typhus is concerned, that every vermin-infested person would be regarded with suspicion.

The period of incubation of typhus is from twelve to twenty days. It might well happen, as doubtless it has in scores of cases, that every person at the time of examination was free from visible evidence of disease; yet these same persons might have been inoculated with the poison typhus fever, which would later show itself in the usual symptoms.

Yet health authorities could well disregard every such person who is absolutely free from vermin. Even though he developed a virulent attack, so serious as actually to be fatal, it would be of no consequence to the rest of society. The typhus patient is not a menace if he is free from vermin.

The conclusion of the whole affair is perfectly apparent. If every person entering American ports from suspected areas is disrobed, de-loused if necessary and equipped with clean clothing, the danger of typhus disappears at once.

New York City has a great housing problem. We have a hundred thousand more families than we have houses. With this great overcrowding, with twelve persons living in three rooms, the menace of typhus is terrible to contemplate. Let typhus once gain a foothold in this city and the whole country will suffer untold misery. The Federal Government should unify the efforts of its Immigration Department and Public Health Service to the end that every quarantine port should thoroughly examine every immigrant.

No vermin-infested person should be permitted to enter the country. All steamship companies should limit the number of passengers carried on each trip and should be required to present cargo and passengers in clean condition. Washington authorities seem slow to act. Congress, the Secretary of Labor, the Secretary of the Treasury and the Public Health Service should promptly supply the equipment and personnel to protect the nation. In every port the municipal health authorities should be permitted to co-operate with the Federal authorities to make certain that local health is protected.

Why Do We Say?

Buy a Pig in a Poke

PIGS are not sold in this style now, but a long time ago in "Merrie England" suckling animals were tied in bags of cloth and thus brought to market. Occasionally a farmer would succumb to the desire to profiteer, not by raising his price but by putting through a clever bit of deception. As most of the buyers were butchers that purchased pigs from half a dozen or more farmers, the dishonest man was not always discovered. However, you can imagine the feeling of a buyer when he opened a bag and found therein a large cat.

Let the Cat Out of the Bag

NOW it is a well-known fact that cats are not as docile as pigs. When Porky finds himself tied up, he heaves a sigh or two but makes the best of the situation. Tabby has a different disposition; when she ascertains that she has been deprived of her freedom, she rues the day of her downfall. She does not resign herself to her fate, but firmly resolves to leave undone nothing that may restore her liberty.

Sometimes Tabby would scratch her way out at the moment when the purchaser paid the price or while he was still dickering for the supposed pig. Sometimes a thoughtless helper would undo a poke; Tabby, of course, would jump out in a streak like the proverbial greased lightning.

In modern usage, the cat is a secret and the bag is a person's mouth. Thus the cat readily slips out when careless words are spoken.